

### **REMARKS**

Claims 1-20 are pending in this application. Claims 1, 8, 15 and 19 were amended to further distinguish over the prior art. Claim 1 was also amended to remove the antecedent basis objection. Support for the claim amendments can be found in the specification and drawings. No new matter has been added.

#### **Claim 1 Objection**

The Examiner objected to claim 1 for lacking antecedent basis for "the threaded engaging member hole". Claim 1 has been amended accordingly to attend to the objection.

#### **Specification Informality**

The Examiner objected to the Abstract because it contained the term "said". The Abstract has been amended accordingly to remove the informality.

#### **35 U.S.C. §102(b) Rejections**

Claims 1, 3-10, 12-15 and 17-19 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,290,426 to van Gijssel et al. (hereinafter "van Gijssel").

Amended independent claims 1 and 8 are directed to a restrained clip having an engaging member, a lock, a fastener and a stop. These claims have been amended to require the engaging member to have a threaded hole and two flat abutting surfaces extending over the entire length of each abutting surface. Amended independent claim 15 is directed to a restraint clip system having a supporting structure, an engaging member, a lock, a stop and a fastener. This claim has been amended to require the engaging member to have a threaded hole and two flat abutting surfaces extending over the entire length of each abutting surface. Further, the two abutting surfaces are claimed to coact over their respective surfaces entirely with the converging walls of the rib of the supporting structure. Amended independent claim 19 is directed to a method of using the restraint clip system, utilizing the clip as set forth in claim 1. This claim has likewise been amended to require that the engaging member has a hole and two flat abutting surfaces extending over the length of each abutting surface.

Further, it is claimed that the engaging member is positioned within the supporting structure so as to have the two abutting surfaces of the engaging member coact over their respective surfaces entirely with the converging walls of the rib.

Support for the above-described amendments can be found in Figs. 1, 2, 3a, 3b and 6. No new matter has been added. Furthermore, the specification has been amended to conform with the claim language.

Van Gijssel discloses a threaded rod 16 and strut connector assembly 10. The strut connector head 12 has sloping edges 40 and 41 that have upturned end edges 35 and 36. Engagement of the strut connector head 12 and the strut 18 requires portions of the strut 18, namely the leg edges 26 and 27, to be respectively captured between sloping edge 40 and upturned end edge 35 and sloping edge 41 and upturned end edge 36.

Van Gijssel does not teach or suggest a restraint clip with an engaging member having two flat abutting surfaces extending over the entire length of each abutting surface. The abutting surfaces of the presently claimed invention coact over their respective surfaces entirely with the converging walls of the rib of the supporting structure, which is entirely dissimilar to van Gijssel. Rather, van Gijssel discloses a threaded rod and strut connector assembly in a non-planar arrangement wherein engagement of the strut connector to the strut requires leg edges of the strut to be captured by the strut connector. Moreover, van Gijssel does not teach a restraint clip system or a method of using the same, wherein the restraint clip has an engaging member with two flat abutting surfaces extending over the length of each abutting surface that coact over their respective surfaces entirely with the converging walls of the rib. Therefore, amended claims 1, 8, 15 and 19 are not anticipated by van Gijssel. Furthermore, amended claims 1, 8, 15 and 19 are not obviated by van Gijssel or by other cited prior art of record because only non-planar engaging members are disclosed.

For the foregoing reasons, reconsideration of the rejection of amended independent claims 1, 8, 15 and 19 is respectfully requested.

Claims 3-7 depend from and add further limitations to amended independent claim 1. Claims 9-10 and 12-14 depend from and add further limitations to amended independent claim 8. Claims 17-18 depend from and add further limitations to amended independent claim 15. Therefore, claims 3-7, 9-10, 12-14 and 17-18 are patentable over the cited prior art of record for at least the same reasons as are independent claims 1, 8, 15 and

19. Reconsideration of the rejections of claims 3-7, 9-10, 12-14 and 17-18 is respectfully requested.

**35 U.S.C. §103(a) Rejections**

Dependent claims 2, 11 and 16 stand rejected under 35 U.S.C. §103(a) for obviousness over van Gijssel in view of U.S. Patent No. 4,950,099 to Roellin (hereinafter "Roellin"). Claims 2, 11 and 16 are directed to the engaging member having a dovetail shape and include the limitations of amended independent claims 1, 8 and 15.

As discussed above, van Gijssel discloses a non-planar engaging member that requires the leg edges of the strut to be captured by the strut connector for engagement to occur. The Examiner states that Roellin teaches a releasable clamping-type compressive joint that utilizes an engaging member in a similar fashion as van Gijssel, but the shape resembles that of a rectangular prism having a dovetail shape. Applicants respectfully disagree.

First, Roellin does not overcome the deficiencies of van Gijssel. Hence, claims 2, 11 and 16 are patentable for at least the same reasons as the respective base independent claims. Second, the engaging member of Roellin is a clamping plate 16 in the shape of a parallelogram. The plate 16 is dissimilar in shape to the engaging member of the present invention. Further, the plate 16 has a clamping plate cam 30 on both sides as well as a stop 46 on both sides. The plate 16 is not designed to coact with converging rib walls and is secured by resting on the cam tips 26 of the flange 22.

Thus, Roellin does not teach or suggest the dovetail-shaped engaging member having two flat abutting surfaces of the present invention. Therefore, one of ordinary skill in the art would not be motivated to combine the Roellin and van Gijssel references to render obvious a dovetail-shaped engaging member that has abutting surfaces that coact over their respective surfaces entirely with the walls of a converging rib. Furthermore, as stated above, claims 2, 11 and 16 contain the allowable limitations of claims 1, 8 and 15 and should be allowable for the reasons discussed herein. Reconsideration of the rejections of claims 2, 11 and 16 is respectfully requested.

Claim 20 stands rejected under 35 U.S.C. §103(a) for obviousness over van Gijssel. Claim 20 is directed to a washer between the stop and lock member and includes the

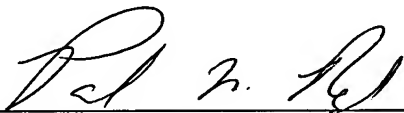
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allowable limitations of independent claim 1 and dependent claim 5. Therefore, claim 20 is allowable for the reasons discussed herein with respect to claim 1.

In view of the foregoing, it is believed that rejected claims 1-20 are allowable over the prior art of record.

Reconsideration of the rejections and objections of the claims is respectfully requested, and allowance of claims 1-20, as amended, is respectfully requested.

Respectfully submitted,  
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